

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alden Docket No.: PEL 2785

Serial No.: 10/541,123 Group Art Unit: 3773

Filing Date: 03/31/2006 Conf. No. 4921
Examiner: Bui, Vy Q.

For: Method and apparatus for loading penetrating members

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**PETITION TO CLAIM BENEFIT UNDER 35 USC 120, 121 OR 365(c) OF A PRIOR
COPENDING NONPROVISIONAL APPLICATION OR INTERNATIONAL APPLICATION
DESIGNATING THE UNITED STATES OF AMERICA (37 C.F.R. 1.78(a)(3))**

1. Applicant hereby petitions, in accordance with §178.(a)(3), to claim the benefit, for this application under 35 U.S.C.

120 121 365(c)

of prior copending nonprovisional application no. 10/127,395
Filing Date 04/19/2002

of international application designating the US no.
International Filing Date

2. Applicant states that the entire delay between the date the claim for the benefit of the earlier application was due under paragraph (a)(2)(ii) of 37 C.F.R. §1.78 and the date this claim is filed was unintentional.

3. The surcharge fee set forth in §1.17(t) required by 37 C.F.R. §1.55(c)(1) is paid as follows:

Authorization is hereby made to charge the amount of \$1,410.00
 To Credit Card
 To charge any additional fees required by this paper or credit any overpayment to Deposit Account 50-4634 (PEL-2785).

Respectfully submitted,

Date: 8/4/10

By:


David Xue, Reg. No. 55,554

GOODWIN PROCTER LLP
135 Commonwealth Drive
Menlo Park, CA 94025
Telephone: 650/752-3106
Customer No. 77845